

---

---

UNITED STATES DISTRICT COURT

for the

Eastern District of California

UNITED STATES OF AMERICA,

v.

DAVID J. NOVOTNY

*Defendant*

)  
)  
)  
)  
)  
)

Case No. 6:24-mj-00010-HBK

**ORDER TO PAY  
PROBATION PURSUANT TO A DEFERRED JUDGMENT  
AGREEMENT BETWEEN THE PARTIES**

The defendant having been found guilty of an offense under 36 CFR § 2.35(b)(2), and pursuant to an agreement between the government and the defendant,

**IT IS ORDERED:** The defendant is placed on unsupervised probation as provided in the agreement between the parties for a period of 12 months, without a judgment of conviction first being entered. The defendant must comply with the standard conditions of probation set forth in this order, and the following conditions found on page two:

1. The defendant's probation shall be unsupervised by the probation office.
2. The defendant is ordered to obey all federal, state, and local laws.
3. The defendant shall notify the court and, if represented by counsel, your counsel of any change of address and contact number.
4. The defendant shall inform the court and, if represented by counsel, your counsel within 7 days of being cited, charged, or arrested for any offense no matter how minor.

Date: 6/7/2024



**Helena Barch-Kuchta**

*United States Magistrate Judge*

---

### **Conditions of Probation**

While on probation, you must also:

1. The defendant shall complete all requirements of unsupervised probation by June 5, 2025.
2. The defendant shall pay a \$500.00 fine and a \$10.00 special assessment for a total payment of \$510.00 due on or before December 5, 2024.  
  
CLERK U.S.D.C.  
2500 Tulare Street, Rm 1501  
Fresno, CA 93721
3. You must refrain from any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. § 802), without a prescription by a licensed medical practitioner.
4. You must not knowingly purchase, possess, distribute, administer, or otherwise use any psychoactive substances (e.g., synthetic marijuana, bath salts, etc.) that impair a person's physical or mental functioning, whether or not intended for human consumption.
5. During the first nine-(9) months of your probation, you must participate in a weekly outpatient drug abuse treatment program and follow the rules and regulations of that program.
6. During your probationary period, you must submit to random substance abuse testing to determine if you have used a prohibited substance. Your first test shall take place within fifteen (15) days from today and a minimum of at least two (2) additional tests during your remaining probationary period. The government will notify you 24 hours prior to the next random test date. You must pay the costs of the testing. You must not attempt to obstruct or tamper with the testing methods.
7. You are BANNED from entering Yosemite National Park for 3 years.
8. The defendant shall report to a US Marshals office for post arraignment booking by 6/7/2024 before 4:00 PM.
9. The defendant is ordered to personally appear for a Probation Review Hearing on 5/13/2025 at 10:00 am in Yosemite before U.S. Magistrate Judge Helena Barch-Kuchta.
10. Two weeks before the Review Hearing defendant shall complete and submit the "Defendant's Probation Review Status Report" located on Judge Barch-Kuchta's chamber's page.